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Plaintiff Sony Electronics Inc.

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION**

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PHILLIP M. ADAMS & ASSOCIATES,  
L.L.C., a Utah Limited Liability Company,

Plaintiff,

vs.

DELL, INC., FUJITSU LIMITED, FUJITSU  
COMPUTER SYSTEMS CORP., MPC  
COMPUTERS, LLC, AND SONY  
ELECTRONICS INC.,

Defendants.

**DEFENDANT SONY ELECTRONICS  
INC.'S CROSS-MOTION TO STRIKE  
ADAMS' MOTION FOR  
TERMINATING SANCTIONS**

Civil No. 1:05-CV-64

The Honorable Ted Stewart  
Magistrate Judge David Nuffer

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SONY ELECTRONICS INC., a Delaware  
corporation,

Third-Party Plaintiff,

vs.

ASUSTEK COMPUTER, INC., ASUS  
COMPUTER INTERNATIONAL,  
WINBOND ELECTRONICS  
CORPORATION, AND ITE TECH. INC.,

Third-Party Defendants.

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Defendant Sony Electronics Inc. ("Sony") moves to strike Adams' Motion For Sanctions Against Sony Including Terminating Sanctions Based Upon Sony's Spoliation of Evidence of Sony's Piracy ("Adams' Motion") and its supporting documents.

Sony so moves on the grounds that Adams' motion contains misrepresentations, false statements, and highly offensive allegations that have no basis in fact. Adams falsely states that Sony lost or destroyed documents relating to the *Christian* litigation; Adams falsely states that Sony lied to Adams and lied to the Court; Adams mischaracterizes prior interactions between Sony and Dr. Adams; Adams misstates a prior order of this Court; Adams falsely asserts that it engaged in a proper meet and confer before filing this motion Adams; and Adams falsely states that Sony denied the existence of any documents memorizing "the prior discussions, correspondence between the parties, and the prior transfer of the jigs" or documents resulting from these events.

For these reasons and the reasons set forth in the accompanying memorandum, and pursuant to the Court's inherent powers and DUCivR 1-2, Sony respectfully requests that the Court strike from its docket Adams' motion for terminating sanctions and all supporting documents and grant Sony any other relief deemed appropriate.

Dated: June 18, 2007

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP

/s/ Kevin P.B. Johnson

Kevin P.B. Johnson  
Attorneys for Defendant and Third-Party Plaintiff  
Sony Electronics Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of June, 2007, I electronically filed **DEFENDANT SONY ELECTRONICS INC.'S CROSS-MOTION TO STRIKE ADAMS' MOTION FOR TERMINATING SANCTIONS** with the Court and electronically served the same on the following through the Court's ECF system:

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I declare under penalty of perjury that the foregoing is true and correct. Executed on June 18, 2007.

/s/ Todd M. Briggs